



CITY OF HAYWARD

AGENDA REPORT

AGENDA DATE 04/09/02

AGENDA ITEM 4

WORK SESSION ITEM _____

TO: Mayor and City Council

FROM: Director of Community and Economic Development

SUBJECT: Zone Change Application No. 2001-0206 and Site Plan Review Application No. 2001-0207 – Tiburcio Vasquez Health Center, Inc. (Applicant), St. Vincent DePaul Society of Alameda County (Owner) – Request to Rezone Property from PD (Planned Development) to CC-C (Central City – Commercial) Sub-District/SD-3 (Cottage Special Design Overlay) District to Allow for a Health Clinic and to Demolish Three Cottages – The Property is Located at 22331 Mission Boulevard

RECOMMENDATION:

It is recommended that the City Council introduce and adopt the attached ordinance and resolution, certifying the Negative Declaration and approving the project, subject to the attached conditions of approval. The Planning Commission concurs with this recommendation by a unanimous vote.

DISCUSSION:

This property is located on the west side of Mission Boulevard between Smalley Avenue and Grace Street. The site has an area of 84,416 square feet (1.94 Acres) and is presently developed with a commercial building used as a thrift store and four rental cottages

In 2000, the City approved a zone change from CC-C and CC-C/SD-3 to Planned Development District to allow the development of ten new cottages along with the retention of four existing cottages at the rear of the thrift store. The units were to be rented to families participating in a program designed to provide housing to families in transition. The applicant indicates that the project was abandoned for economic reasons.

The current proposal is to return the property to its previous zoning designation of CC-C/SD-3 and convert the thrift store building to a medical clinic and offices providing medical, dental and optical care including a small pharmacy. The facility will have a full time staff of 40 to 45 persons and the regular hours will be 8:00 a.m. to 5:30 p.m. Mondays thru Saturdays. The clinic will average 10 patients per hour throughout the day. It is estimated that 50 percent of the patients will walk, 40 percent will use public transportation and 10 percent will drive. BART is just under one-half mile from the facility and the 82 AC Transit line runs on Mission Boulevard between the Hayward and San Leandro BART stations. There is a bus stop at Grace Street and Mission Boulevard adjacent to the facility.

The building will be remodeled with a Mediterranean style motif consistent with the North Hayward Neighborhood Plan for treatment of the City's entryways. The main entry to the building will be on the north side facing the parking lot. The Mission Boulevard frontage will be used as a secondary exit from the building. The three cottages on the Grace Street frontage of the property will be demolished and the unused area will be landscaped with preservation of the trees surrounding the cottages.


The traffic study prepared for the project indicated that the medical clinic would not have a significant traffic impact in the area. The three study intersections, Mission Boulevard/Grace Street, Mission Boulevard/Smalley Avenue and Grace Street/Pearce Street currently operate at an acceptable Level Of Service D or better and will continue to do so after the project. The traffic study recommends that vehicles exiting the parking lot on Mission Boulevard be restricted to a right turn only forcing drivers to use either Grace Street or Smalley Avenue for access to Mission Boulevard for left turns

The tenants in the four cottages were notified last fall that The Society of St. Vincent de Paul was selling the property and they would have to relocate to other housing. The applicant indicates that each of the tenants will be given a 90-day notice to relocate and, based on their need, each tenant will be given assistance by All Saints Parish in Hayward. The Alameda County Housing Authority has also been contacted regarding the one Section 8 tenant and will work with that tenant to get them recertified under the Section 8 program. They also indicate that there are new Section 8 units becoming available and the rental market is more favorable at this time due to the economic slowdown.

On December 5, 2001, a neighborhood meeting was held to discuss the project. Neighbors were concerned that the facility would be open during the evening hours and that parking may be inadequate. The applicant indicated medical care and outpatient services are planned to close at 5:30 p.m. but the clinic would like to have the option for related services after hours. The applicant indicated that it is their policy that employees park in the lot and not on surrounding streets. Conditions of approval allow the facility to operate until 10:00 p.m. and require employees to use the parking lot.

On a 7:0 vote, the Planning Commission recommended certification of the Negative Declaration and approval of the project. The Commission discussed the staff recommendation for a picket fence on the Grace Street frontage of the property. They felt that continuing the decorative metal fence along the Grace Street frontage would be more compatible with the surrounding residential neighborhood and amended the condition accordingly. The Commission added a condition requiring the installation of bicycle racks for the convenience of patients and employees riding bicycles to the facility.

Prepared by:


Norman Weisbrod
Project Planner

Recommended by:



Sylvia Ehrenthal
Director of Community and Economic Development

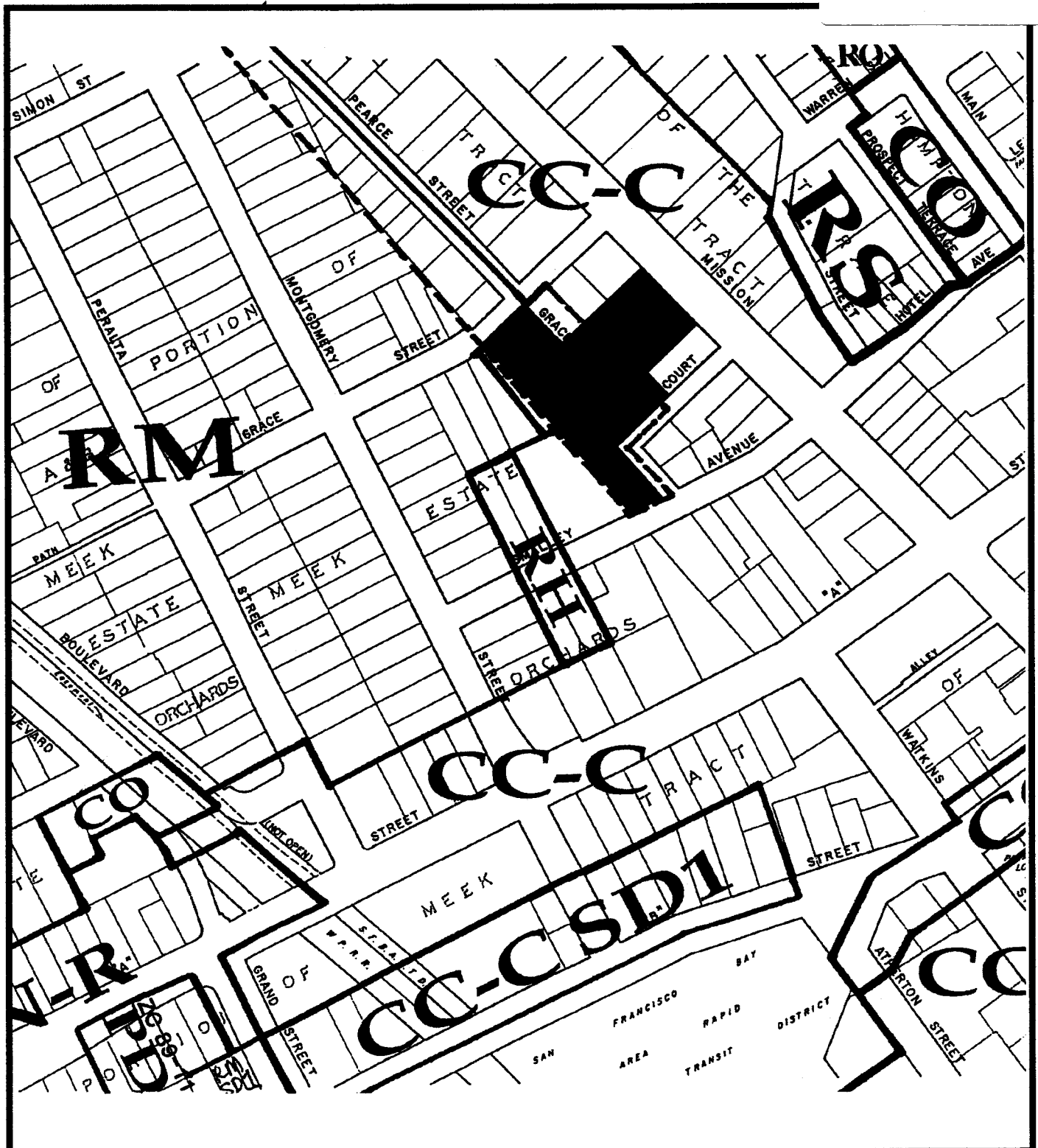
Approved by:



Jesús Armas, City Manager

Attachments: Exhibit A. Area Map
Exhibit B. Findings for Approval
Exhibit C. Conditions of Approval
Exhibit D. Planning Commission Minutes and Staff Report, dated February
28, 2002
Exhibit E. Initial Study and Negative Declaration
Site Plans
Draft Resolution(s)

4/4/02



Area & Zoning Map

PL-2001-0207/0206 SPR/ZC

Address: 22331 Mission Boulevard

Applicant: Cliff Sherwood/Joel Garcia

Owner: St. Vincent DePaul Society of Alameda

FINDINGS OF APPROVAL

**ZONE CHANGE APPLICATION NO. 2001-0206 &
SITE PLAN REVIEW APPLICATION NO. 2001-0207**

**Tiburcio Vasquez Health Center, Inc. (Applicant)
St. Vincent DePaul Society of Alameda County (Owners)
22331 Mission Boulevard**

**Request to rezone property to CC-C (Central City Commercial) District and to convert
existing thrift store to a Medical Clinic**

General

- A. The applications have been reviewed according to the standards and requirements of the California Environmental Quality Act (CEQA) and an Initial has been prepared for the proposed project. The Initial Study has determined that the proposed project could not result in significant effects on the environment that can't be mitigated, therefore it is determined that adoption of a Mitigated Negative Declaration is the appropriate action.

Rezoning

- B. Substantial proof exists that the proposed change will promote the public health, safety, convenience, and general welfare of the residents of Hayward in that the proposed rezoning will allow uses that will serve residents in the surrounding area and in the City in general; and
- C. The proposed change is in conformance with the purposes of this Ordinance and all applicable, officially adopted policies and plans. The rezoning is in conformance with the General Plan and the policies and goals of the North Hayward Neighborhood Plan. The rezoning will help retain the existing commercial area on Mission Boulevard and will allow the reuse of the subject property that will be in scale and character of the surrounding area; and
- D. Streets and public facilities existing or proposed are adequate to serve all uses permitted when property is reclassified. The property has primary frontage on a major arterial and secondary frontage on two collector streets. A traffic study for the rezoning and proposed project stated that the traffic generated by the reuse project would have a minimum impact on surrounding streets and intersections; and
- E. All uses permitted when property is reclassified will be compatible with present and potential future uses, and, further, a beneficial effect will be achieved which is not obtainable under existing regulations. The proposed rezoning to CC-C is consistent with the existing zoning of other properties fronting on Mission Boulevard. Uses permitted under this classification will be compatible with surrounding commercial uses on Mission Boulevard.

Site Plan Review

- F. The proposed project, as conditioned, will be compatible with surrounding structures and uses and is an attractive addition to the City in that the architecture of the primary building will be a compliment to the Mission Boulevard commercial frontage; and
- G. The development takes into consideration physical and environmental constraints in that existing mature trees on the site will be retained; and
- H. The development complies with the intent of City development policies and regulations including parking that exceeds the required amount, retention of existing mature trees, attractive architectural enhancement of the primary structure; and
- I. The development will be operated in a manner determined to be acceptable and compatible with surrounding development in that more than the required parking will be provided to reduce the possibility of on-street parking and the property will be substantially upgraded in appearance.

CONDITIONS OF APPROVAL
SITE PLAN REVIEW APPLICATION NO. 2001-0207

Tiburcio Vasquez Health Center, Inc. (Applicant)
St. Vincent DePaul Society of Alameda County (Owners)
22331 Mission Boulevard

Request to convert existing thrift store to a Medical Clinic and Offices

General

1. Application No. PL-2001-0207 is approved subject to the conditions listed below. This permit becomes void one year after the effective date of approval unless prior to that time a building permit application has been accepted for processing by the Building Official, or a time extension of this application is approved. A request for a one-year extension, approval of which is not guaranteed, must be submitted to the Planning Division 15 days prior to the above date.
2. The permittee shall assume defense of and shall pay on behalf of and hold harmless the City, its officers, employees, volunteers and agents from and against any or all loss, liability, expense, claim costs, suits and damages of every kind, nature and description directly or indirectly arising from the performance and action of this permit.
3. Any proposal for alterations to the proposed site plan and/or design which does not require a variance to any zoning code, must be approved by the Planning Director prior to implementation.
4. Prior to final inspection/occupancy, all improvements and conditions of approval shall be completed to the satisfaction of the Planning Director.
5. The refuse enclosure shall be relocated to the rear of south side of the building and have solid metal gates, details subject to approval of the Planning Director.
6. Any fencing along the Mission Boulevard and Smalley Avenue frontages of the property shall consist of wrought iron not to exceed four (4) feet in height, details subject to approval of the Planning Director.
7. Fencing along the Grace Street frontage of the property shall be a 3-foot high white picket fence, details subject to approval of the Planning Director.
8. Any rolling security gates on the Mission Boulevard, Smalley Avenue or Grace Street frontages of the property shall conform to Article 14 of the Municipal Code, Security Gate Regulations.
9. Prior to issuance of a building permit, a drainage plan shall be submitted and approved by the Planning Director.

10. Pedestrian walkways and circulations areas shall be raised 6 inches in height above the finished parking lot level.
11. The medical facilities shall be open to the public no later than 10 p.m.
12. A 6-foot high masonry wall shall be constructed along the westerly property line where the subject property borders residential zoning and along the west and south side of the residence on the east side of the Grace Street driveway, details subject to approval of the Planning Director.
13. Violation of conditions is cause for revocation of this permit, subject to a public hearing before the duly authorized reviewing body.

PARKING/DRIVEWAYS

14. All parking stalls and maneuvering areas shall meet the minimum standards of the City Parking Ordinance. The parking stalls shall be striped and any compact stalls shall be clearly marked for compact vehicles only. Compact spaces shall not number more than 30% of the total spaces provided.
15. Where appropriate, vehicular circulation areas shall be signed as fire lanes and posted for "No Parking".
16. Driveways, which serve the proposed use, shall be constructed be City Standards SD-110.
17. Each open parking space shall be provided with a Class "B" Portland Cement concrete bumper block or a continuous concrete curb not less than 6 inches in height above the finished pavement.
18. Prior to connection of utilities, the parking lot pavement shall be repaired or replaced. Existing pavement shall be resurfaced to eliminate potholes and to provide a smooth, safe surface. The City Engineer shall determine the scope of the improvements.
19. All raised concrete curbs, which lie between and landscape planter and the side of the parking stall, shall be widened to 18 inches to accommodate vehicle access.
20. Employees shall be required to park in the parking lot provided and not on surrounding streets.

LANDSCAPING

21. Prior to improvement plans or the issuance of a building permit, detailed landscaping and irrigation plans shall be prepared by a licensed landscape architect and submitted for review and approval by the City Landscape Architect. Landscaping and irrigation plans shall comply with the City's Water Efficient Landscape Ordinance.

22. Prior to issuance of a grading or building permit, all trees 10 inches or larger in diameter that are proposed for removal shall be documented and a tree removal permit shall be obtained from the City. Replacement trees shall be required by the City Landscape Architect based on the value of the trees authorized for removal. The value of the trees shall be calculated by a certified arborist according to the "Trunk Formula Method" contained in the Guide for Plant Appraisal (1992) published by the International Society of Arboriculture.
23. Prior to issuance of a grading permit or building permit, a tree preservation bond, surety or deposit shall be established equal to the value of the trees to be preserved. The bond, surety or deposit will be returned at the time of issuance of a certificate of occupancy if the trees are found to be in a healthy, thriving and undamaged condition. The City reserves the right to require an arborist report, at the expense of the developer, to evaluate the condition of the trees.
24. Grading and improvement plans shall include measures for tree protection and preservation as required by the City's Landscape Architect including the installation of a fence at the drip line of the trees during construction period.
25. Planters shall incorporate a temporary decorative barrier to protect plant materials from pedestrian traffic until plants have matured, details subject to approval of the City's Landscape Architect.
26. A complete automatic sprinkler system with an automatic on/off mechanism shall be installed and maintained within all landscaped areas. This system shall utilize a double-check, double-gate backflow device and shall include an individual adjustable-flow bubbler to each tree.
27. Landscape and irrigation plans shall comply with the City's Landscape Water Conservation Design Guidelines. Turf shall be limited to a maximum of 25 percent of the total landscaped area.
28. Landscaping shall be installed per the approved plans and shall be maintained in a healthy, weed-free condition at all times with replacement plants provided where necessary. Required street and parking lot trees that are severely topped or pruned shall be immediately replaced as determined by the City Landscape Architect.
29. The planting and maintenance of shrubs must not impair visibility at street intersections. The height of plant materials in areas where sight distance is critical is limited to three feet. Trees in these areas must be pruned such that the canopy provides adequate visibility.
30. A small vine and shrub container that matches the architecture of the building shall be placed adjacent to each canopy support column on the east side of the building. The

vines shall be trained to grow up the columns, details subject to approval of the City Landscape Architect.

31. Parking areas shall include a minimum of one 15-gallon parking lot tree for every six parking stalls. The minimum interior dimension of any tree well or landscape median shall be five feet, measured from back of curb.
32. A minimum of one 24-inch box tree shall be provided for each 30 lineal feet of street frontage. Trees shall be double-staked per the City standard.
33. Above ground utilities shall be screened from the street with shrubs.
34. On-site sidewalks and flat concrete surfaces shall exhibit a decorative finish, such as stamped concrete or exposed aggregate with tile bands. The material shall be approved by the City prior to issuance of a building permit.

DESIGN

Architecture

35. Prior to issuance of a building permit, all building materials and colors shall be approved by the Planning Director.
36. Roof tile on the primary building shall be of a mission style, clay or concrete material, and a terra cotta color.
37. Downspouts or other similar appurtenances shall be enclosed within the structure.
38. Any roof-mounted mechanical equipment shall be fully screened from view, details subject to approval of the Planning Director.

Signs

39. Any signs on the primary building shall consist of individual letters, reflecting the building's architectural style, and shall not exceed the sign area permitted under the Sign Ordinance regulations, details subject to approval of the Planning Director.

UTILITIES

40. The applicant shall submit gallon per minute demand to the Sr. Utility Service Representative to verify the existing 1.5" water meter is adequate for the proposed use.
41. The applicant shall install a separate water meter to avoid sewer charges for irrigation consumption.
42. The applicant shall install a Reduced Pressure Backflow Prevention Assembly per the City of Hayward Standard detail 202 on all domestic and irrigation water meters.

43. The applicant shall provide keys/access code/automatic gate opener to utilities for all meters enclosed by a fence/gate as per Hayward Municipal code 11-2.02.1
44. Only Water Distribution Personnel shall perform operation of valves on the Hayward Water System.
45. Water and sewer service is available subject to standard conditions and fees in effect at time of application.

SOLID WASTE AND RECYCLING

47. This approval is subject to the requirements contained in the memo from the Solid Waste and recycling Division of the Public Works Department dated August 29, 2001.

FIRE DEPARTMENT REQUIREMENTS

48. Red curbing will be required within the parking lot at all landscape islands.
49. The new second floor addition will be required to have automatic fire sprinkler protection. Design and installation shall meet NFPA 13 Standards.
50. Fire extinguishers will be required for each floor.
51. Exiting shall meet the Uniform Building Code.
52. The address shall be installed on the front of the building so as to be visible from the street. Minimum size of address numbers shall be 6 inches.
53. The tenant will be required to submit a fire department hazardous materials chemical inventory prior to certificate of occupancy. Review of the materials will dictate any additional requirements for the proposed use.

LIGHTING

54. Exterior lighting shall be designed by a qualified illumination engineer, and erected and maintained so that adequate lighting is provided in all public access areas. The Planning Director shall approve the design and location of lighting fixtures, which shall reflect the architectural style of the building. Exterior lighting shall be shielded and deflected away from neighboring properties.
55. Lighting fixtures in the parking lot shall not exceed 12 feet in height and fixtures on the building wall shall not exceed 8 feet in height.

ENGINEERING

56. The plan must identify Best Management Practices (BMP) appropriate to the uses conducted on the site in order to limit the entry of pollutants into the storm water runoff to the maximum extent practicable.
57. Remove and replace the existing curb, gutter and sidewalk along the property frontage on Grace Street and Smalley Avenue, where determined necessary by the City Engineer.
58. All existing underground utilities on Grace Court that will not be used shall be removed
59. The outside drainage shall be redesigned such that the surface runoff conveyed to the concrete valley gutter is collected by catch basins and piped to the gutter, details subject to approval of the City Engineer.
60. All existing driveways to be abandoned shall be removed and replaced with standard curb, gutter and sidewalk.
61. Any work along Mission Boulevard requires a Caltrans permit.
62. The applicant shall remove the existing street light on the power pole on Melvin Court and install standard electrolier at the curved portion of the street.
63. The applicant shall install a standard electrolier at the northwest corner of Melvin Court and Smalley Avenue, 5 feet from the existing fire hydrant.
64. The applicant shall construct a wheel chair ramp at the northwest corner of Melvin Court and Smalley Avenue and dedicate additional right-of-way.
65. The applicant shall install curb, gutter, and sidewalk on the Melvin Court frontage of the property, details subject to approval of the City Engineer.
66. The four existing parcels shall be combined into a single parcel prior to issuance of a building permit, details subject to approval of the Planning Director and the City Engineer.
67. Bicycle racks shall be provided, details subject to approval of the Planning Director.

and trees help deaden the sound. He said he prefers the wooden wall.

Commissioner Zermeño commented that the other homeowners say it will improve the value of their homes.

Commissioner Thnay commented on condition #38, and requested that a locked mailbox be included as well.

Principal Planner Patenaude asked Commissioner Williams to recommend amending condition #45 to allow either a wooden wall or the masonry wall.

Commissioner Caveglia commented on the conditions from 38 through 40 while the project is under construction. He noted that it can be horrendous to the neighbors' He wondered how to enforce them.

Assistant Planner Koonze commented that the rules are there for City staff to go out and enforce them. He said complaints are responded to as well.

Commissioner Caveglia suggested sending the list of rules to the neighbors just as the hearing notice is sent.

Principal Planner Patenaude said he would look into doing so.

Chairperson Halliday commented that she liked the project. She said it is a good project for this site. She said in-fill is usually higher density. She said the problems could be worked out. She said it was a good use of the lot. She added that she really liked the front porch. She noted that if it can be shown through a study that the wooden wall can attenuate sound as well, she would be open to accepting it.

Assistant Planner Koonze commented that the developer could commission a sound study that a wooden wall can match or accede a masonry wall.

Commissioner Bogue expressed concern for the life of the wooden wall. It needs to be maintained as well.

Assistant Planner Koonze said he would assume that the Homeowners Association would take care of the site and will take care of the condition of the fence.

The motion passed 6:1, with Commissioner Bogue voting "No."

- 2. Zone Change Application No. 2001-0206 and Site Plan Review Application No. 2001-0207 – Tiburcio Vasquez Health Center, Inc. (Applicant)/St. Vincent DePaul Society of Alameda County (Owners):** Request to Rezone Property from PD (Planned Development) to CC-C (Central City – Commercial) and CC-C (Central City-Commercial) Sub-District/SD-3 (Cottage Special Design Overlay) District and to Convert Existing Thrift Store to a Medical Clinic and Offices Providing Medical, Dental and Optical Care. The Project is Located at 22331 Mission Blvd



Consulting Project Planner Weisbrod described the site with the various frontages on different streets in the neighborhood. He noted that the property has a thrift store, 3 cottages, and one other cottage adjacent to the building. He described the previous approval that was given to 10 cottages that were never developed. The three present cottages would be removed. This project would replace Tiburcio Vasquez present clinic on Calaroga. The organization has estimated that 50% of their clients will walk to the new Center, 40% will use public transportation and 10% will drive. The cottage location will be landscaped and in the future a small office will be built. This will require further zoning and approval, at a later date. 107 parking spaces will be provided. The proposal is for wrought iron fencing along Mission, Smalley and Grace. Staff is recommending that the westerly end of Grace have a 4-foot picket fence to tie it into the neighborhood. The traffic study finds it will not have a significant impact on this area. A staff recommendation would be to prohibit left turns out of the property. No significant environmental impacts. At a neighborhood meeting, concern was expressed that there might be night meeting. However, the applicant has said they would close at 5 p.m. Also parking was a concern, neighbors wanted employees to park in the parking lot. Staff feels parking should be adequate and recommended approval to City Council.

Commissioner Caveglia asked about the difference between Condition 11, and the applicant saying they would close at 5. He was told that the Clinic staff believes that activity in the building would discourage people hanging around the lot and neighborhood and the Clinic would like to have the option to stay open later to offer services.

Commissioner Sacks asked what the Mission entrance was going to look like and would it be at all recessed since that seems to cause problems. She was told that the main entrance to the building would be on the North side.

Commissioner Thnay asked why, with the staff's report regarding patients not parking, there were so many parking spaces. He thought there might be more landscaping with some seating areas.

Consulting Project Planner Weisbrod agreed that this might be an option. However, since this is a larger facility than Calaroga, they may pick up their patient load. City staff is thinking about the future.

Senior Transportation Planner Frascinella commented that City staff was also concerned about the applicant's parking projection. He said also, City staff had another question as to where the patient load is coming from. If it continues to come from the current area, more will drive. He noted that rarely will people walk more than a half of a mile, and this location is on that border for BART.

Commissioner Williams commented on the traffic. He noted that they have more parking than they need right now.

Commissioner Zermeño commented that he could see the extra parking needed for the future.

Chairperson Halliday read from an email expressing concern from Celeste Perry, a neighbor, regarding staff parking in the parking lot rather than the street. She suggested that there be a specifically designated staff parking area in the lot.

Principal Planner Patenaude noted that the City could require designated spaces.

The public hearing opened at 8:55 p.m.

Cliff Sherwood, Board President, addressed the parking issue. He commented that there would be 40 spaces for staff parking. He said they strongly agree with the recommendations. They would rather be on the safe side of the community and would not want to spill over into the community.

Commissioner Caveglia said he was very supportive of this organization, but St. Vincent de Paul had presented a plan for affordable housing on this site. He wondered what happened to that proposal.

Principal Planner Patenaude says he has read that St. Vincent is cutting back.

Commissioner Caveglia said he hated to see that plan disappear like that since affordable housing is very needed in the area.

Mr. Sherwood added that being open later is important. He commented that they do not provide any in-patient services.

Commissioner Zermeño noted that this move is going to leave a vacuum in South Hayward at Calaroga. He wondered if they would be able to keep at least a small staff in the present location.

Mr. Sherwood said it does not seem possible with their current resources. He said they would be open to working with other providers in that area. He said they did not want to see people lose services. However, they are now turning others away because of the size of the facility on Calaroga.

Commissioner Bogue asked how much later they would need to stay open. He was told 7:30 or 8 p.m. They would like the option and flexibility. He introduced the project architect who answered concerns about other issues.

He noted that the intention of the Mission façade would be to be flush with the sidewalk. As to the parking issue, there should be more than enough parking on site. It will be used eventually. This is an upgrade from the current facilities.

Celeste Perry, owner of property on Pearce Street, said this should continue to improve the neighborhood. There were a few issues she wanted to note. Although the cottage zoning refers to the design of the neighborhood, it does not take into account the reality. A white picket fence



does not fit in with the neighborhood. She suggested they continue with the wrought iron fencing. She said the exit on Melvin Court is a concern. She asked that the City consider Pearce Street to be a one-way south street. She asked whether, if they decide to add an office building, would it come back to the Planning Commission.

Principal Planner Patenaude said, yes, it would require an amendment to the present action. He then noted that the white picket fence is designated by the SD overlay.

Mr. Sherwood commented that they had no objection to either white picket or wrought iron. He said there is no exit on Melvin Court.

The public hearing closed at 9:16 p.m.

Commissioner Zermeno **moved**, seconded by Commissioner Caveglia, to recommend to City Council that they certify the Negative Declaration, approve the rezoning, approve the Site Plan Review, and approve the demolition of the three cottages.

Commissioner Sacks commented on the driveways where arrows are two-ways. She said she did speak with someone near the location, whose feelings were similar to Mrs. Perry's. She said they might as well continue the wrought-iron fencing.

Commissioner Thnay suggested putting in bike racks as a condition.

Commissioner Sacks said Commissioner Thnay reminded her, Conditions #20, assumes all the employees will drive. She said the applicant needs to encourage employees to carpool, use public transportation, etc. Perhaps City staff might keep this in mind for the future.

Commissioner Bogue asked about making the whole fence wrought iron.

Commissioner Sacks asked how the gate is being secured and would there be a rolling gate going into that area.

Chairperson Halliday also wondered how the gate would be secured if it is a picket fence.

Principal Planner Patenaude said with a picket fence, the gate would have to swing onto the masonry wall opposite that location.

The motion passed 7:0.

3. ~~Airport Master Plan and Final Environmental Assessment/Environmental Impact Report~~

Airport Manager Shiner gave the staff report. He noted that the Final EIR was combined with

DRAFT



CITY OF HAYWARD AGENDA REPORT

Meeting Date: 2-28-02

Agenda Item: _____

TO: Planning Commission

FROM: Norman Weisbrod, Consulting Project Planner

SUBJECT: **Zone Change Application No. 2001-0206 and Site Plan Review Application No. 2001-0207 – Tiburcio Vasquez Health Center, Inc. (Applicant)/St. Vincent DePaul Society of Alameda County (Owners):** Request to Rezone Property from PD (Planned Development) to CC-C (Central City - Commercial) and CC-C (Central City-Commercial) Sub-District/SD-3 (Cottage Special Design Overlay) District and to Convert Existing Thrift Store to a Medical Clinic and Offices Providing Medical, Dental and Optical Care and to Demolish Three Cottages

The Property is Located at 22331 Mission Boulevard

RECOMMENDATION:

Staff recommends that the Planning Commission recommend that the City Council:

1. Certify the Negative Declaration; and
2. Approve the rezoning from PD (Planned Development) to CC-C (Central City-Commercial Subdistrict) and CC-C/SD-3 (Central City – Commercial Subdistrict-Cottage Special Design Overlay) Districts subject to the attached findings; and
3. Approve the Site Plan Review, subject to the attached findings and conditions of approval; and
4. Approve the demolition of the three cottages.

BACKGROUND:

This property was originally developed as a movie theater and several small residential homes or cottages. The theater closed and the building was converted into the St. Vincent de Paul Thrift Store. In 2000, the City approved a zone change from CC-C and CC-C/SD-3 to Planned Development District to allow the development of ten new cottages along with the retention of 4 existing cottages at the rear of the thrift store. The units were to be rented to families participating in a program designed to provide housing to families in transition. The project was never implemented. The current proposal would return the property to its previous zoning

designation of CC-C and CC-C/SD-3 and establish a medical clinic and office within the former theater/thrift store building including the demolition of three of the four cottages.

Surrounding Land Uses

Grace Street is located on the northerly side of the project site. Grace Street contains a mixture of single-family and multi-family residences with a vacant former auto repair garage at the corner of Mission Boulevard. The west side of the property abuts single-family and multi-family dwellings and a commercial building. Commercial uses front Mission Boulevard. Smalley Avenue and Melvin Court are located on the southerly side of the property. Melvin Court is a one-way street connecting Mission Boulevard with Smalley Avenue. Automotive related uses are located across Melvin Court. Across Smalley Avenue is a mixture of residential dwellings and vacant commercial property.

Property/Project Description

The site consists of 4 parcels totaling 1.94 acres. The larger parcel, fronting on Mission Boulevard, contains a retail thrift store operated by the Society of St. Vincent de Paul. The parcel is also developed with a small cottage on Melvin Court and parking for the thrift store. The remaining three parcels fronting on Grace Street and Grace Court, are developed with small one-story cottages that are used as rentals. All parcels will be merged into a single parcel for this project.

The present proposal is to convert the existing thrift store building into a medical clinic and offices including family practice, obstetrics/gynecology, pediatrics, dental and optometry services and a small pharmacy. This new facility will replace an existing clinic at 22171 Calaroga Avenue. A second floor will be added inside the building to create a total floor area of 20,740 square feet. The facility will serve primarily low-income patients. The medical clinic is a primary use in the CC-C District, and but for the zone change, would have only required Site Plan Review.

The applicant indicates that the facility will be open between 8:00 a.m. and 5:30 p.m. Mondays thru Saturdays. However, there may be instances when they want to offer community programs or classes relating to health care and similar issues. Staff believes it would be reasonable to allow them to stay open until 10 p.m.

There will be a full time staff of 40 to 45 persons. They predict annual visits of approximately 25,080 patients with 50 percent walking, 40 percent using public transportation and 10 percent driving. One of the advantages of this site is the proximity to public transportation, especially AC Transit and BART. BART is just under ½ mile from the project site. The 82 and 82L lines run on Mission Boulevard between the Hayward and San Leandro BART stations. The AC Transit bus stop is located at the corner of Grace Street and Mission Boulevard. This stop is not scheduled for a shelter, but staff would investigate adding this stop given the proposed use.

The building will be remodeled with a Mediterranean style motif consistent with the policies of the North Hayward Neighborhood Plan for treatment of the City's entryways. This will include

a tile roof canopy element with large support columns over all entry and exit doors. A plaster cap will be added to the top of the parapet wall and carried around all sides of the building. An arched element will be placed on top of all of the large ground floor windows. The main entry to the building will be on the north side facing the parking lot. There will also be secondary building exits on Mission Boulevard and at the rear of the building.

The three cottages located near Grace Street will be demolished and the vacant area will be landscaped. These cottages are neither architecturally or historically significant. Future use of this area may be a small office building serving the medical clinic. New development at that location will have to conform to the SD-3 Cottage Special Design Overlay requirements and will require a modification of the conditional use permit. The remaining cottage on Melvin Court at the rear of the primary building will be used for record storage.

There are existing tenants in the four cottages. The applicant has indicated that they will assist the current residents in finding suitable housing in the general area.

Vehicular access to the site will be from three locations: Mission Boulevard, Grace Street and Smalley Avenue. Each of the driveways will provide ingress and egress. The parking requirement in the CC-C District for medical offices is 1 space for every 315 square feet of gross floor area. This requires 69 spaces. There will be 107 parking spaces which exceeds the required parking by 38 spaces.

The only landscaping currently on the site is several large evergreen trees surrounding the cottages and a planter in front of the thrift store building. These trees will be retained. New landscaping and trees will be provided along Mission Boulevard and Smalley Avenue street frontages, in the parking lot and along the rear property line between this site and the residential properties to the rear. The vacant land on Grace Street that will remain after the cottages are demolished will be landscaped until it is developed in the future.

There is an existing chain link fence around the perimeter of the property varying in height from 4 feet to 8 feet. The applicant proposes new 4-foot-high chain-link fencing along Smalley Avenue with a sliding gate and a new 4-foot-high wrought iron fence with sliding gates on the Grace Street and Mission Boulevard frontages. Staff recommends that the fences and gates along the Mission Boulevard and Smalley Avenue street frontages be decorative metal which is in keeping with the theme of this district and that a 3-foot-high wood picket fence be installed along the Grace Street frontage.

The Off-Street Parking Regulations require the provision of a 6-foot-high masonry wall for commercial parking adjacent to residentially zoned properties. The subject property borders residentially zoned property along a portion of the west property line and an existing residential property adjacent to the Grace Street access driveway. The applicant will have to construct a 6-foot-high masonry wall at these two locations.

The property frontage on Melvin Court is developed with an asphalt curb and no sidewalk or concrete gutter. Melvin Court is 32 feet wide and there are no plans to increase the width of the

street. The site plan indicates new curb, gutter and sidewalk along the Melvin Court frontage. This will complete the street improvements on Melvin Court.

Traffic Study

A traffic study was prepared for the project by PHA Transportation Consultants. Traffic generation analysis indicated that the project will have a net trip generation of 43 a.m. and 59 p.m. peak hour trips. It is estimated that about 40 percent of the health center traffic will travel to and from the north via Mission Boulevard, and about 50 percent will travel to and from the south via Mission Boulevard. The remaining 10 percent will travel through the neighborhood via Montgomery Avenue and Smalley Avenues. A Level-of-Service analysis indicates that the medical clinic will not have a significant traffic impact in the area. The three study intersections, Mission Boulevard/Grace Street, Mission Boulevard/Smalley Avenue and Grace Street/Pearce Street currently operate at an acceptable LOS D or better and will continue to do so after the project. The increased intersection delay as a result of the proposed project is about 5 seconds at the Mission Boulevard/Grace Street intersection and less than one second at the two other study intersections.

At the Mission Boulevard driveway a sign will be installed indicating right turn only when exiting the property. The Traffic Report recommends that vehicles exiting this driveway not be permitted to make left turns. Because of traffic volumes on Mission Boulevard, left turns should be restricted to intersections. The left turn restriction at the Mission Boulevard driveway will force drivers to use either Grace Street or Smalley Avenue for access to Mission Boulevard.

Conformance to the General Plan/Neighborhood Plan

The current General Plan Map designates this area as Commercial High Density Residential. The conversion of the site into a medical services facility is consistent with the commercial designation in the General Plan.

The North Hayward Neighborhood Plan recommends keeping the Montgomery Area as a family neighborhood with traditional features and retention of the appearance of single-family homes in residential development along Peralta, Montgomery, Sunset, Simon and Grace. New development on Montgomery, Peralta, Grace, Simon and Sunset should continue the pattern of front lawns, porches and gabled rooflines. The plan also recommends that new development be compatible with Mediterranean theme including off-white stucco and natural tile roofs.

The architectural treatment of the primary building will be compatible with a Mediterranean theme per the above policy. The vacant land that will remain on Grace Street after demolition of the three cottages will be attractively landscaped in a manner that will be compatible with the residential properties in the vicinity.

Environmental Review

This proposal is defined as a "project" under the parameters set forth in the California Environmental Quality Act (CEQA) Guidelines. However, there will be no significant

environmental impacts as determined from staff's Initial Study preparation. Therefore, a Negative Declaration has been prepared for the project.


Public Hearing Notice and Neighborhood Meeting

On December 5, 2001, a neighborhood meeting was held to discuss the proposed project. Notice was sent to all property owners and businesses within 300 feet of the site. A notice was also mailed to the North Hayward Neighborhood Task Force. Approximately 11 property owners and business owners attended the meeting. Neighbors were concerned if the facility was used during the evening hours for group meetings such as AA or 2nd Chance. Their concern was that it would bring people into their neighborhood in the evening hours and would negatively impact the residential character of the surrounding area. The applicant indicated the facility would be used for medical care and outpatient services and would close at 5:30 p.m. There will be no public access in the evening hours. The neighbors were also concerned about the adequacy of parking. The applicant replied that most of the patients use public transportation or walk to the site. It is the clinic's policy that employees park in the lot and not on the surrounding streets. On February 4, 2002, notice of the Planning Commission public hearing was mailed to all property owners and occupants within 300 feet of the project boundaries.

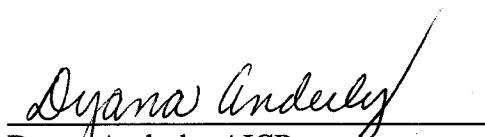
Conclusion

This project will provide a transit oriented medical clinic for low-income people providing a needed community service. The site is close to the Hayward BART station and an AC Transit line. The proposed improvements to the site will result in a substantial improvement over the current conditions with the building upgraded with a Mission style architectural theme.

Prepared by:


Norman Weisbrod
Consulting Project Planner

Recommended by:


Dyana Anderly, AICP
Planning Manager

Attachments:

- A. Area Map
- B. Findings for Approval
- C. Conditions of Approval
- D. Negative Declaration
Plans



**DEPARTMENT OF
COMMUNITY AND ECONOMIC DEVELOPMENT
Planning Division**

NEGATIVE DECLARATION

Notice is hereby given that the City of Hayward finds that no significant effect on the environment as prescribed by the California Environmental Quality Act of 1970, as amended will occur for the following proposed project:

I. PROJECT DESCRIPTION: Request to rezone from PD (Planned Development) to CC-C (Central City- Commercial) and CC-C (Central City-Commercial) Sub-District/SD-3 (Cottage Special Design Overlay) District in order to convert the existing thrift store building and four residential cottages into a medical clinic and offices providing medical, dental and optical care.

II. FINDING PROJECT WILL NOT SIGNIFICANTLY AFFECT ENVIRONMENT:

The proposed project will have no significant effect on the area's resources, cumulative or otherwise.

III. FINDINGS SUPPORTING DECLARATION:

1. The project application has been reviewed according to the standards and requirements of the California Environmental Quality Act (CEQA) and an Initial Study Environmental Checklist Form has been completed for the proposed project. The Initial Study has determined that the proposed project could not result in significant effects on the environment.
2. The project is in substantial harmony with the surrounding area since the project proposes upgrading the appearance of the primary building with a Mission style motif and maintaining the small detached cottages on the Grace Street frontage retaining the residential appearance of the street and surrounding residential area in conformance with the North Hayward Neighborhood Plan.
3. Existing streets in the area and existing utilities are all adequate to serve the proposed development.

IV. PERSON WHO PREPARED INITIAL STUDY:

Norman Weisbrod, Consulting Project Planner

Dated: February 6, 2002

V. COPY OF INITIAL STUDY IS ATTACHED

For additional information, please contact the City of Hayward Development Review Services Division, 777 B Street, Hayward, CA 94541-5007 or telephone (510) 583-4209

DISTRIBUTION/POSTING

- Provide copies to project applicants and all organizations and individuals requesting it in writing.
- Reference in all public hearing notices to be distributed 20 days in advance of initial public hearing and/or published once in Daily Review 20 days prior to hearing.
- Project file.
- Post immediately upon receipt at the City Clerk's Office, the Main City Hall bulletin board, and in all City library branches, and do not remove until the date after the public hearing.



Environmental Checklist Form

1. Project title: Zone Change 2001-0206 and Site Plan Review 2001-0207
2. Lead agency name and address: City of Hayward 777 B Street, Hayward, CA 94541-5007
3. Contact person and phone number: Norman Weisbrod, Consulting Project Planner (510) 583-4215
4. Project location: 22331 Mission Boulevard, westerly side of Mission between Grace Street and Smalley Avenue
5. Project sponsor's name and address: Tiburcio Vasquez Health Center, Inc., 33255 Ninth Street, Union City CA 94587
6. General plan designation: Commercial/High Density Residential
Zoning PD (Planned Development) District.
- 7.
8. Description of project: Request to rezone from PD (Planned Development) to CC-C (Central City-Commercial) and CC-C (Central City Commercial) and Sub-Division/SD-3 (Cottage Special Design Overlay) District in order to convert the existing thrift store building and 4 residential cottages into a medical clinic and offices providing medical, dental and optical care.
9. Surrounding land uses and setting: The site is bounded on the northerly side by Grace Street. Grace Street is a mixture of single-family homes and multi-family units. The west side of the property abuts single-family homes and multi-family dwellings and a commercial building that fronts on Smalley Avenue. Commercial buildings and uses front on Mission Boulevard. The site is bounded on the south by Smalley Avenue and Melvin Court. Across Smalley Avenue is a mixture of residential dwellings and vacated property that was a former automotive dealership. The general character is the area is residential with commercial along Mission Boulevard.
10. Other public agencies whose approval is required NA

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:

The environmental factors checked below would be potentially affected by this project, involving at least one impact that is a "Potentially Significant Impact" as indicated by the checklist on the following pages.

- | | | |
|--|---|---|
| <input type="checkbox"/> Aesthetics | <input type="checkbox"/> Agriculture Resources | <input type="checkbox"/> Air Quality |
| <input type="checkbox"/> Biological Resources | <input type="checkbox"/> Cultural Resources | <input type="checkbox"/> Geology /Soils |
| <input type="checkbox"/> Hazards & Hazardous Materials | <input type="checkbox"/> Hydrology / Water Quality | <input type="checkbox"/> Land Use / Planning |
| <input type="checkbox"/> Mineral Resources | <input type="checkbox"/> Noise | <input type="checkbox"/> Population / Housing |
| <input type="checkbox"/> Public Services | <input type="checkbox"/> Recreation | <input type="checkbox"/> Transportation/Traffic |
| <input type="checkbox"/> Utilities / Service Systems | <input type="checkbox"/> Mandatory Findings of Significance | |

DETERMINATION: (To be completed by the Lead Agency)

On the basis of this initial evaluation:

- ☒ I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☐ I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ I find that the proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ I find that although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Norman Weisbrod
Signature

2/7/02
Date

Norman Weisbrod
Printed Name

City of Hayward
Agency

ENVIRONMENTAL ISSUES:

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporati on	Less Than Significant Impact	No Impact
I. AESTHETICS -- Would the project:				
a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Comment:</u> The small cottages on Grace Street will retain their residential character and preserve residential appearance of the street.				
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Comment:</u> None of the surrounding streets are classified as a state scenic highway.				
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<u>Comment:</u> The primary building on the site will be substantially upgraded in appearance with a Mission style architecture that will be compatible with the policy in the North Hayward Neighborhood Plan. The existing cottages to be used for offices and storage will be refurbished to visually enhance the appearance of the property but still retain a residential appearance.				
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<u>Comment:</u> Exterior lighting will be installed in the parking lot. It will be limited in height to 12 feet and will be designed so as not to reflect on adjacent properties.				

II. AGRICULTURE RESOURCES: In determining whether impacts to agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Dept. of Conservation as an optional model to use in assessing impacts on agriculture and farmland. Would the project:

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| a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Comment: See c) below.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Conflict with existing zoning for agricultural use, or a Williamson Act contract? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: See c) below.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: The site has no history of agricultural use and there is no potential for any agricultural use in the future.

III. AIR QUALITY -- Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Conflict with or obstruct implementation of the applicable air quality plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: The proposed project will be required to comply with all applicable requirements of the *Bay Area Air Quality Management District*. The developer will be required to develop and implement appropriate dust control measures during construction. The project is not likely to create objectionable odors, or alter air movements, moisture, and temperature or cause any change in climate. Implementation of the required conditions of approval will reduce any identified impacts to a non-significant level.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: See a) above.

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporati on</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions which exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comment: See a) above.

d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: See a) above.

e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: See a) above.

IV. BIOLOGICAL RESOURCES -- Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: The site is developed with the former Ritz Theater which is now being used as a Thrift retail store and with four small cottages. There are no known endangered, threatened or rare species or their habitats known to exist on the property.

b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or US Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: See a) above.

c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: See a) above.

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| d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Comment: See a) above.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: There are a number of large trees on the property most of which are shown on the plan to be preserved. A condition of approval also requires preservation of the trees.

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| f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Comment: See a) above.

V. CULTURAL RESOURCES -- Would the project:

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Cause a substantial adverse change in the significance of a historical resource as defined in §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: There are four cottages on the site which tie-in architecturally with other older residential buildings in the surrounding neighborhood. The cottages will be converted from residential use to office and storage use. Their appearance will be preserved to retain their residential look.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: There are no known archaeological resources on the site.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Comment: There are no known paleontological resources on the site.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporati on	Less Than Significant Impact	No Impact
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comment: If human remains are found on the site the Alameda County Coroner will be notified to conduct an investigation.

VI. GEOLOGY AND SOILS -- Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Comment: The property is within the edge of the Hayward Earthquake Fault Zone. A portion of the site is within a fault zone. A geotechnical investigation (Evaluation of Active Faulting at and Adjacent to 22331 Mission Boulevard California") was prepared for the property by MS Geotechnical Consultants, Inc., dated December 18, 1986. The conclusion of the report is that the active trace of the Hayward fault is located approximately two hundred fifty feet (250) to the northeast. The consultant states that the potential for future surface faulting through the southwestern one-third (1/3) of the site is low. Subsequent responses to comments made by City Peer review was made by Marvel Engineering, Inc., dated November 29, 1999 and were found to be acceptable. The City's peer review consultant concludes that the geotechnical report has addressed all concerns previously expressed and that the active trace of the Hayward fault is located east of Mission Boulevard, well east of the proposed development and that the report concludes that there is a low probability of active faulting occurring at the site.

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: See a) above.

ii) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Comment: The buildings will be constructed in accordance with Uniform Building Code requirements relating to earthquake safety for commercial buildings.

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporati on</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
iii) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Comment: The building will be constructed in accordance with Uniform Building Code requirements relating to earthquake safety in commercial buildings.

iv) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: The site is not in a hilly area and is not subject to landslides.

b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: This is a level site and any grading will be minimal.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: The Building Official may require a geologic and soils report.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: See c) above.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: Waste water sewer is available at the project site.

VII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: The proposed use will not use or generate hazardous materials.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporati on	Less Than Significant Impact	No Impact
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comment: See a) above.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: See a) above.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: This site is not one a list of hazardous materials pursuant to Government Code Section 65962.5.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: This site is not within two miles of a public or private airport.

f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: See e) above.

g) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: This project will have no impact on any emergency response plan or emergence evacuation plan.

h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: The subject property is not in a wildlands area.

<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporati on</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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VIII. HYDROLOGY AND WATER QUALITY -- Would the project:

a) Violate any water quality standards or waste discharge requirements?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: The site will comply with water quality standards and waste discharge requirements.

b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: A high percentage of the site is presently covered with buildings or paved with asphalt concrete. The project will result in some removal of asphalt paving and replacing it with landscaping. This may increase groundwater recharge over existing conditions.

c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on- or off-site?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: Existing drainage will not be substantially changed and there are no streams or rivers in the vicinity.

d) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: There will be no increase in runoff water and the existing stormwater drainage system has the capacity to handle the drainage from the site.

e) Otherwise substantially degrade water quality?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: This project will not impact water quality.

Place housing within a 100-year flood hazard area as mapped on a federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: See I) below.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporati on	Less Than Significant Impact	No Impact
i) Place within a 100-year flood hazard area structures which would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comment: The project site is not within a 100-year flood hazard area.

j) Expose people or structures to a significant risk of loss, injury or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: This site is not subject to flooding and would not be impacted by the failure of a levee or a dam.

k) Inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: This site is not subject to a seiche, tsunami or mudflow.

IX. LAND USE AND PLANNING - Would the project:

a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: The site is comprised of several parcels totaling 1.9 acres. The General Policies Plan Map designates the property and the area as *Commercial/High Density Residential*. The proposed project is consistent with the General Plan designation and the North Hayward Neighborhood Plan covering the surrounding area.

b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: This project will not conflict with any land use plan or policy or with the regulations of any agency having jurisdiction over the project.

c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: This site is not covered by a habitat conservation plan or natural community conservation plan.

X. MINERAL RESOURCES -- Would the project:

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| a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Comment: There are no known mineral resources on the project site.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: See a) above.

XI. NOISE - Would the project result in:

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: The proposed use will not generate noise levels in excess of established standards. The noise levels resulting from the development will be equivalent to noise generated by an office use development in a commercial or office area.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Exposure of persons to or generation of excessive groundborne vibration or groundborne noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: See a) above.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: See a) above.

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|--|--------------------------|--------------------------|-------------------------------------|--------------------------|
| e) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|--|--------------------------|--------------------------|-------------------------------------|--------------------------|

Comment: During construction of the project, there may be an increase of ambient noise levels in the vicinity. Hours of construction should be limited to daytime activity and hour limitation placed on Saturday and Sunday activity. Construction equipment should have sound reduction devices to reduce noise impacts on surrounding properties.

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| f) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |

Comment: The project site is not within two miles of a public or private airport.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| g) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Comment: See f) above.

XII. POPULATION AND HOUSING -- Would the project:

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: The project will not result in population growth in the area.

- | | | | | |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|
| b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
|---|--------------------------|--------------------------|-------------------------------------|--------------------------|

Comment: The project will result in the loss of only four housing units.

- | | | | | |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
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Comment: See b) above.

XIII. PUBLIC SERVICES

<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporati on</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
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a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:

Comment: The proposed office use will not impact public services.

Fire protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Police protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Other public facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

XIV. RECREATION --

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: The project will not increase the use of existing neighborhood or regional parks or require the construction of expansion of recreational facilities.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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Comment: See a) above.

XV. TRANSPORTATION/TRAFFIC -- Would the project:

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on</i> | <i>Less Than
Significant
Impact</i> | <i>No
Impact</i> |
|--|---|---|---|--------------------------|
| a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections)? | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Comment: A traffic study dated December, 2001, was prepared by PHA Transportation Consultants for the project. A Level-of-Service analysis indicates that the medical clinic will not have a significant impact in the area. The three study intersections, Mission Boulevard/Grace Street, Mission Boulevard/Smalley Avenue and Grace Street/Pearce Street currently operate at an acceptable LOS D or better and will continue to do so after the project. The increased intersection delay as a result of the proposed project is about 5 seconds at the Mission Boulevard /Grace Street intersection and less than one second at the two other study intersections.

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|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: See a) above.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: The project will not change air traffic patterns.

- | | | | | |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|
| d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|--|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: See a) above.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| e) Result in inadequate emergency access? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: See a) above.

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|---|--------------------------|--------------------------|--------------------------|-------------------------------------|
| f) Result in inadequate parking capacity? | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> |
|---|--------------------------|--------------------------|--------------------------|-------------------------------------|

Comment: The proposed use exceeds the required parking for a building in the Central Parking District.

	Potentially Significant Impact	Potentially Significant Unless Mitigation Incorporation	Less Than Significant Impact	No Impact
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comment: This project will not conflict with plans or programs for alternative transportation.

XVI. UTILITIES AND SERVICE SYSTEMS - Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: This project will not generate unusual amounts of waste water for a medical office development.

b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: See a) above.

h) Require or result in the construction of new storm water drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
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Comment: Storm water currently sheet flows across the sidewalk into the street on the three street frontages. A storm water system will be provided to direct storm water into on-site catch basins with proper filtration and then under the sidewalk into the street gutter.

c) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: There are sufficient water supplies available to serve the project.

	<i>Potentially Significant Impact</i>	<i>Potentially Significant Unless Mitigation Incorporati on</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>
d) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Comment: See a) above.

e) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Comment: There is adequate landfill capacity to accommodate the project's solid waste disposal needs.

f) Com	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) ply with federal, state, and local statutes and regulations related to solid waste?				

Comment: The project will comply with federal, state and local statutes and regulations related to solid waste.

XVII. MANDATORY FINDINGS OF SIGNIFICANCE --

a) Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

DRAFT

ORDINANCE NO. _____

me
3/26/02

AN ORDINANCE AMENDING THE ZONING DISTRICT
MAP OF CHAPTER 10, ARTICLE 1 OF THE HAYWARD
MUNICIPAL CODE BY REZONING CERTAIN TERRITORY
LOCATED ON MISSION BOULEVARD PURSUANT TO
ZONE CHANGE APPLICATION NO. 2001-0206

THE CITY COUNCIL OF THE CITY OF HAYWARD DOES ORDAIN AS
FOLLOWS:

Section 1. The Zoning District Map of Chapter 10, Article 1 of the Hayward
Municipal Code is hereby amended by rezoning the property located at 22331 Mission
Boulevard, located between Smalley Avenue and Grace Street from a PD (Planned
Development) District to a CC-C (Central City-Commercial) Sub-district/SD-3 (Cottage
Special Design Overlay) District.

Section 2. In accordance with the provisions of section 620 of the City Charter, this
ordinance shall become effective from and after the date of its adoption.

INTRODUCED at a regular meeting of the City Council of the City of
Hayward, held the ____ day of _____, 2002, by Council Member _____ .

ADOPTED at a regular meeting of the City Council of the City of Hayward
held the ____ day of _____, 2002, by the following votes of members of said City
Council.

AYES: COUNCIL MEMBERS:

MAYOR:

NOES:

ABSTAIN:

ABSENT:

APPROVED: _____
Mayor of the City of Hayward

DATE: _____

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward

HAYWARD CITY COUNCIL

RESOLUTION NO. _____

Introduced by Council Member _____

RESOLUTION APPROVING ZONE CHANGE APPLICATION
NO. 2001-0206 AND SITE PLAN REVIEW APPLICATION
NO. 2001-0207 AND CERTIFYING THAT THE INITIAL
STUDY AND NEGATIVE DECLARATION HAVE BEEN
COMPLETED IN COMPLIANCE WITH THE CALIFORNIA
ENVIRONMENTAL QUALITY ACT

WHEREAS, Zone Change Application No. 2001-0206 and Site Plan Review Application No. 2001-0207 concerns a request by Tiburcio Vasquez Health Center, Inc. (Applicant), St. Vincent DePaul Society of Alameda County (Owner) to rezone property from PD (Planned Development) to CC-C (Central City-Commercial) Sub-District/SD-3 (Cottage Special Design Overlay) District to allow for a health clinic and demolish three existing cottages on property located at 22331 Mission Boulevard between Smalley Avenue and Grace Street; and

WHEREAS, a negative declaration has been prepared and processed in accordance with City and CEQA guidelines; and

WHEREAS, the Planning Commission held a public hearing on February 28, 2002, regarding Zone Change Application No. 2001-0206, in accordance with the procedures contained in the Hayward Zoning Ordinance, codified as Article 1, Chapter 10 of the Hayward Municipal Code, and recommended approval of the initial study, negative declaration, zone change and site plan review; and

WHEREAS, the City Council of the City of Hayward has independently reviewed and considered the information contained in the initial study upon which the negative declaration is based, certifies that the negative declaration has been completed in compliance with the requirements of the California Environmental Quality Act, and finds that the negative declaration reflects the independent judgment of the City of Hayward; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Hayward hereby finds and determines as follows:

General

1. The applications have been reviewed according to the standards and requirements of the California Environmental quality Act (CEQA) and an Initial Study has been prepared for the proposed project. The Initial Study has

determined that the proposed project could not result in significant effect on the environment that cannot be mitigated, therefore it is determined that adoption of the Negative Declaration is the appropriate action.

Rezoning

2. Substantial proof exists that the proposed change will promote the public health, safety, convenience, and general welfare of the residents of Hayward in that the proposed rezoning will allow uses that will serve residents in the surrounding area and in the City in general; and
3. The proposed change is in conformance with the purposes of all applicable, officially adopted policies and plans. The rezoning is in conformance with the General Plan and the policies and goals of the North Hayward Neighborhood Plan. The rezoning will help retain the existing commercial area on Mission Boulevard and will allow the reuse of the subject property that will be in scale and character of the surrounding area; and
4. Streets and public facilities existing or proposed are adequate to serve all uses permitted when property is reclassified. The property has primary frontage on a major arterial and secondary frontage on two collector streets. A traffic study for the rezoning and proposed project stated that the traffic generated by the project would have minimum impact on surrounding streets and intersections; and
5. All uses permitted when property is reclassified will be compatible with present and potential future uses, and, further, a beneficial effect will be achieved which is not obtainable under existing regulations. The proposed rezoning is consistent with the existing zoning of other properties fronting on Mission Boulevard. Uses permitted under this classification will be compatible with surrounding commercial uses on Mission Boulevard.

Site Plan Review

6. The proposed project, as conditioned, will be compatible with surrounding structures and uses and is an attractive addition to the City in that the architecture of the primary building will complement the Mission Boulevard commercial frontage; and
7. The development takes into consideration physical and environmental constraints in that existing mature trees on the site will be retained; and
8. The development complies with the intent of City development policies and regulations including parking that exceeds the required amount, retention of existing mature trees, attractive architectural enhancement of the primary

structure; and

9. The development will be operated in a manner determined to be acceptable and compatible with surrounding development in that more than required parking will be provided to reduce the possibility of on-street parking and the property will be substantially upgraded in appearance.

BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF HAYWARD that, based on the findings noted above, that Zone Change Application No. 2001-0206 and Site Plan Review Application No. 2001-0207 are hereby approved, subject to the conditions of approval contained in Exhibit A attached hereto and incorporated as a part of this resolution, and the adoption of the companion ordinance reclassifying the Property from a PD (Planned Development) to a CC-C (Central City-Commercial) District.

IN COUNCIL, HAYWARD, CALIFORNIA _____, 2002

ADOPTED BY THE FOLLOWING VOTE:

AYES: COUNCIL MEMBER:

MAYOR: Cooper

NOES: COUNCIL MEMBERS:

ABSTAIN: COUNCIL MEMBERS:

ABSENT: COUNCIL MEMBERS:

ATTEST: _____
City Clerk of the City of Hayward

APPROVED AS TO FORM:

City Attorney of the City of Hayward